

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

| | | |
|------------------------|---|--------------------------------|
| ROBERT MACIEL, |) | No. SACV 08-1450 SVW (FFM) |
| Petitioner, |) | |
| v. |) | ORDER ADOPTING FINDINGS, |
| |) | CONCLUSIONS AND |
| JOHN MARSHALL, Warden, |) | RECOMMENDATIONS OF |
| Respondent. |) | UNITED STATES MAGISTRATE JUDGE |

Pursuant to 28 U.S.C. § 636, the Court has reviewed the entire record in this action, the attached Report and Recommendation of United States Magistrate Judge ("Report"), and the objections thereto. Good cause appearing, the Court concurs with and adopts the findings of fact, conclusions of law, and recommendations contained in the Report. The Court further finds that petitioner was provided the due process rights to which he was entitled in connection with the conduct of the parole hearing as required by *Swarthout v. Cooke*, 562 U.S. ___, 2011 WL 197627. (See Exhibit A to Petition.)

IT IS ORDERED that judgment be entered dismissing this action with prejudice.

DATED: April 21, 2011



STEPHEN V. WILSON
United States District Judge